IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 446 (MS) OF 2006

Abha Agrawal,
S/o Sri Bhagwat Krishna Gupta,
R/o 47/94, Dandipur,
District-Dehradun. .....Petitioner.

Versus

Sri Ganga Prasad,
S/o Sri Raghunath,
R/o 7/5 Wing No. 1, Prem Nagar,
Dehradun,
Presently resident of General Mahadev Singh Road,
Kali Mndir Enclave Lane No. 7,
House No. 35, Dehradun & others. .....Respondents.

Hon'ble Rajesh Tandon, J.

Heard Ms. Prabha Noliyal, Advocate for the petitioner and counsel for the respondent.

By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the order dated 24.03.2006 passed by the Civil Judge, Senior Division, III Fast Track Court, Dehradun (Annexure No. 5 to the writ petition).

Against the impugned order revision is maintainable before the District Judge.

In view of amendment under Section 115 of the Code of Civil Procedure vide notification published on 28.03.2006 which has been made effective from 22.03.2006, the revision is maintainable against the impugned order before the District

Judge, therefore, the writ petition is dismissed on the ground of alternative remedy. No order as to costs.

The certified copy of the impugned order may be returned to the petitioner.

(Rajesh Tandon, J.)

14.07.2006
Rathour